IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Habeas Corpus Petition No. 12 of 2004

Ghananand Phulara,
S/o Late Bachi Ram Phulara,
R/o Village Chatgulla, Post Chatghulla,
District Almora ……. Petitioner

Versus

State of Uttaranchal & others. ……..… Respondents

Mr. Lalit Sharma, learned counsel on behalf of the petitioner.
Mr. D.K. Sharma, learned Government Advocate for the State.

Coram: Hon. V.S. Sirpurkar, C.J.
Hon. Irshad Hussain, J.

(Per Hon'ble the Chief Justice)

1. Heard learned counsel for the parties.

2. This is a habeas corpus petition contending that one Ishwar Chandra is in the illegal custody of police. Mr. D.K. Sharma, learned Government Advocate makes a statement that this Ishwar Chandra is in the judicial custody at the instance of the Judicial Magistrate, Khatima in crime No. 709 of 2004 at Police Station Nanakmatta, District Udham Singh Nagar for offence under Sections 121, 124 and 124A I.P.C.

3. In that view, there will be no question of proceeding with this habeas corpus petition and it is, accordingly, dismissed.

(Irshad Hussain, J.) **(V.S.Sirpurkar, C.J.)**
24.09.2004 **24.09.2004**

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